

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TIMOTHY McCRARY,

Petitioner,

v

JOHN CASON, Warden,

Respondent.

Case No. 4:03-cv-177

Hon. Wendell A. Miles

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

On November 22, 2006, United States Magistrate Judge Hugh W. Brenneman, Jr. issued a Report and Recommendation ("R & R") recommending that Timothy McCrary's petition for writ of habeas corpus be denied. Petitioner has filed timely objections to the R & R (docket no. 33). The court, having reviewed the R & R filed by the United States Magistrate Judge in this action, petitioner's objections, and the relevant portions of the file, agrees with the recommended disposition contained in the R & R.

The R & R is therefore adopted as the decision of the court. Judgment will be entered accordingly.

Entered this 20th day of December, 2006.

/s/ Wendell A. Miles
Wendell A. Miles, Senior Judge